

# Exhibit 1

## United States of America

DEPARTMENT OF LABOR  
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION

### SUBPOENA DUCES TECUM

**To: Kim Malsam-Rysdon c/o Justin L. Williams  
Secretary of Health  
South Dakota Department of Health  
600 East Capitol Avenue  
Pierre, South Dakota 57501**

Pursuant to Federal law (Section 8(b) of the Occupational Safety and Health Act, 29 U.S.C. 657(b)), you are hereby required to produce to Sheila Stanley, Area Director, or her designee, of the OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION, UNITED STATES DEPARTMENT OF LABOR at the United States Department of Labor, Occupational Safety and Health Administration, Sioux Falls Area Office, 4404 South Technology Drive, Sioux Falls, SD 57106, on or before 1:00 p.m., Friday, June 26, 2020, all of the following item(s):

Unless otherwise noted, the requests set forth below pertain to the Smithfield Packaged Meat Corporation (“Smithfield”) located at 1400 North Weber Avenue, Sioux Falls, South Dakota 57103 (the “Worksite”).

- (1) Employee reports of illness;
- (2) COVID-19 test results;
- (3) Correspondence between the South Dakota Department of Health and Smithfield representatives;
- (4) Interviews conducted with employees or management officials related to the outbreak of COVID-19;
- (5) Statistical data reflecting any potential clusters of COVID-19 within the plant, including production lines, work stations, or common areas;
- (6) Photographs and/or video taken of the plant, including workstations, processes or equipment; and
- (7) Any recommendations issued to Smithfield by the State of South Dakota, Department of Health, to combat the spread of the virus.

If you have questions about the above items, contact the Area Director or Assistant Area Director at 605-361-9566.

If any item responsive to this subpoena was, but no longer is, in your possession, custody, or control, identify the item and explain the circumstances by which it ceased to be in your possession, custody, or control.

If the subpoena cannot be complied with in full, it shall be complied with to the extent possible, with an explanation of why full compliance is not possible.

The information requested may be produced in any of the following formats:

- (1) Email attachment to the attention of John Becker ([Becker.John.D@Dol.gov](mailto:Becker.John.D@Dol.gov));
- (2) CD or thumb drive;
- (3) External hard drive;
- (4) Hard copy mailed to OSHA's Sioux Falls Area Office at the address identified above. If the South Dakota Department of Health elects to send responsive documents via U.S. Postal Service, United Parcel Service ("UPS") or Federal Express, please contact OSHA Area Director Sheila Stanley prior to mailing to arrange for delivery and signature. Ms. Stanley can be reached at 605-361-9566, ext. 201 or [Stanley.Sheila.A@dol.gov](mailto:Stanley.Sheila.A@dol.gov).

## **FAIL NOT AT YOUR PERIL**

IN TESTIMONY WHEREOF I have hereunto affixed my signature  
and the seal of the UNITED STATES DEPARTMENT OF LABOR at  
4404 South Technology Drive, Sioux Falls, SD, this 19th day of June 2020.

**SHEILA STANLEY**

Digitally signed by SHEILA  
STANLEY  
Date: 2020.06.19 13:53:26 -05'00'



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Area Director  
OCCUPATIONAL SAFETY AND HEALTH ADMINISTRATION  
UNITED STATES DEPARTMENT OF LABOR